IN THE HIGH COURT OF PUNJAB AND HARYRNA AT CHANDIGARH

C.O.C.P. No.1162 of 2004
Date of Decision:- 12.10.2006

Gurdev Singh ....Petitioner

through
Mr.V.B.Aggarwal, Advocate

vs.

Murari Lal ....Respondent

through
Mr.Narender Hooda, Advocate

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT

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SURYA KANT, J.

The petitioner retired from the post of LDC (C) on attaining the age of superannuation on 30.9.2000. While releasing his retiral benefits, a sum of Rs.67,301.50/-, however, was withheld out of the arrears of leave encashment on the ground that vouchers of some T.A.Bills were lost in July, 1999 and unless the said issue was settled, the petitioner could not be made the payment. The aforesaid action prompted the petitioner to file C.W.P.No.6487 of 2004, which was disposed of by this Court on 22.4.2004 with a direction to take a decision on the Justice Demand Notice, which the petitioner had already served, by passing a speaking order in a time bound manner. It was also directed that if any relief is found grantable to the petitioner, the same be granted to him within 15 days thereafter.

Alleging non-compliance of the aforesaid order, this contempt petition has been filed.

In response to the show cause notice, Mr. Narender Hooda,

Advocate has put in appearance on behalf of the respondents. Though no reply has been filed, however, he has placed on record a photostat copy of the order dated 10.10.2006 passed by the Executive Engineer (Operation) Division, Panchkula whereby the withheld amount of Rs.66,947/- has now been ordered to be released in favour of the petitioner by preparing "duplicate paid vouchers."

Though with the release of the withheld amount vide aforementioned order dated 10.10.2006, the direction issued by this Court vide order dated 22.4.2004 stands complied with, however, the fact remains that the amount which was due to be paid to the petitioner on his retirement on 30.9.2000, has been released in October, 2006 only. The order dated 10.10.2006 does not hold the petitioner responsible for the delay in the release of payment in question. Consequently, this petition is disposed of with a direction to the authorities concerned of the Uttar Haryana Bijli Vitaran Nigam to grant interest to the petitioner at the rate of 6% per annum on the withheld amount which shall be paid to him with effect from 1.1.2001 till actual realisation thereof. The arrears of interest shall be paid to the petitioner within a period of two months.

Disposed of.

Rule discharged.

October 12 , 2006 **(SURYA KANT)**
poonam **JUDGE**